Add the following new claims 33-36:

33. The test tube of claim 24 wherein said opaque coating undergoes a change in color when exposed to said coherent light source.

34. The test tube of claim 33 wherein said opaque coating includes a light sensitive pigment that undergoes said change in color.

35. The method of claim 32 wherein said opaque coating undergoes a change in color when exposed to said coherent light source.

36. The method of claim 35 wherein said change in color is effected by altering the color of a light sensitive pigment included in said opaque coating.

REMARKS

The specification has been amended to correct the informalities noted by the examiner.

The rejection of claim 1 has been rendered moot by its cancellation.

Claims 22, 23, 29 and 30 have been amended to remove the limitation to a "planar" exterior surface. This limitation is considered to be unduly limiting, and unnecessary to a definition of the invention in light of the cited prior art.

Claims 22 - 32 stand rejected under 35 U.S.C.103(a) as being unpatentable over Wijnschenk et al (U.S. 6,270,728) in view of Moh et al (U.S. 6,165,594). This rejection is respectfully traversed for at least the following reasons:

1. Wijnschenk et al discloses the application of a carrier part to the base of a test tube, with the carrier part being ablatable by a laser to produce optically readable coding.

There is neither a disclosure nor a suggestion in Wijnschenk et al of applying either single or multiple layered coatings directly to a bottom surface of the test tube.

Moh et al discloses a composite ceramic label 10 designed to be attached to a substrate 12. The label 10 includes a ceramic body 13 and a top layer 16, the latter being ablatable by a laser. Here again, there is neither a disclosure nor a suggestion of providing single or multiple layered coatings directly to the bottom of a test tube. The best that can be said of the label disclosed in Moh et al is that it might serve a high temperature carrier part in Wijnschenk et al. There certainly is no cross teaching in either Wijnschenk et al or Moh et al that would suggest combining them to render obvious the concept of encoding machine readable data within coatings applied to the bottom surfaces of test tubes. The rejection of claims 22 - 32 should be withdrawn.

New claims 33 - 36 find support in the specification at page 6, line 18 - page 7, line 5, and are directed to coatings that undergo a change in color when exposed to a coherent light source. Both Wijnschenk et al and Moh et al disclose ablation or burning rather than color changes, and thus fail to anticipate or render obvious these newly added claims, which should also be considered as allowable over the art of record.

Attached hereto as Exhibit A is a retyped version of the amended paragraph in the specification, and the amended claims, with brackets and underlining to highlight the changes made.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,

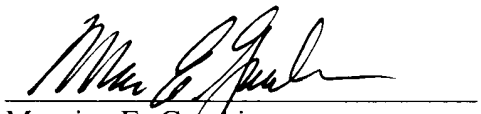

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EXHIBIT A

RETYPED VERSION OF AMENDED SPECIFICATION AND CLAIMS WITH BRACKETS AND UNDERLINING

CHANGES TO THE SPECIFICATION:

The paragraph beginning at line 20 on page 5 and ending at line 3 on page 6 has been amended as follows:

The hot stamping process may utilize [use] a heated die that is applied to the product with substantial pressure. In this embodiment the heated [due] die may be set-up with a stamping temperature of about 430°F - 520°F, and a stamping pressure of about 20-80 psi with a dwell time of about 0.5 - 1.0 seconds. The heated die may be set-up to simultaneously hot stamp a plurality of test tubes (e.g., ninety-six).

IN THE CLAIMS:

Claims 22, 23, 29 and 30 have been amended as follows:

22. (Amended) A test tube, comprising:

a tube body of unitary construction comprising an enclosed sidewall and an integral bottom that together define a tubular container having an open top, wherein said bottom has an [a planar] exterior surface upon which machine readable data is encoded within an opaque coating deposited onto said [planar] exterior surface to uniquely identify said test tube.

23. (Amended) The test tube of claim 22, wherein said opaque coating comprises:

a first layer of light colored opaque material deposited onto said [planar] exterior surface; and

a second layer of dark colored opaque material deposited onto said first layer, with select portions of said second layer having been removed to define said machine readable data.

29. (Amended) A method of manufacturing a test tube, comprising the steps of:

providing a tube body of unitary construction comprising an enclosed sidewall with [and] an open top and an integral bottom with [a planar] an exterior surface;

applying an opaque coating to said [planar] exterior surface; and

encoding machine readable data within said opaque coating.

30. (Amended) The method of claim 29 wherein the application of said opaque coating comprises the steps of:

a) depositing a first layer of opaque material onto said [planar] exterior surface; and

b) depositing a second layer of opaque material onto said first layer, wherein said first and second layers are of contrasting colors.